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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,410	12/10/1999	Mohammad Peyravian	P-4541.004	8813

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EXAMINER

VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/02/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/458,410

Applicant(s)

PEYRAVIAN ET AL.

Examiner

Michael R Vaughan

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Detailed Office Action

Claims 1-19 have been fully reconsidered and are pending.

Applicant's arguments with respect to claims 1 and 9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims 1 and 9 raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 USC 101.

Claim Rejections - 35 USC § 103

Claims 1-4, 6-12, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haber et al, hereinafter Haber (Re. 34,954) in view of Epstein (USP 6,601,172).

As per claim 1, Haber et al teach:

Receiving identifying data associated with a document D at an outside agency (column 2, line 55—column 3, line 10);

Creating at said outside agency a first receipt based on said identifying data and a linking value (column 2, line 55—column 3, line 10);

Creating at said outside agency a second receipt based on said identifying data and a linking value (column 4, line 39—column 5 line 36);

Certifying said first and second receipts at said outside agency using a cryptographic signature scheme (column 4, line 39—column 5 line 36).

As per claim 1, Haber is silent in expressly disclosing inserting a linking value into said first and second receipts that links the identifying data in the first receipt with the time indication in the second receipt. Epstein teaches inserting a linking value into said first and second receipts that links the identifying data in the first receipt with the time indication in the second receipt so that revisions of documents and their corresponding timestamps can be linked to the originals (col. 1, lines 50-63). It would be advantageous to link timestamps created at different places and times to each other in order to preserve authenticity. In view of this it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Epstein within the system of Haber

Art Unit: 2131

because it would allow the time stamps to be positively linked to one another thereby adding irrefutable proof that a document had not been changed without proper notice.

As per claims 2-4 and 6 Haber et al teach a method of identifying data that comprises a hash value generated from a one-way hash function and including the hash value and the time indication to the time stamp receipt (column 3, lines 10-65).

As per claim 7, Haber et al teach said time stamp request further includes an identification number associated with the requestor (column 3, lines 10-65 column 4, lines 8-39).

As per claim 8, Haber et al teach wherein each time stamp receipt includes a sequential record number (column 4, lines 8-20).

As per claim 9, Haber et al teach:

transmitting identifying data associated with said document to an outside agency (column 2, line 55—column 3, line 10 and FIGs. 1-3);

receiving from said outside agency a first receipt based on said identifying data and a linking value (column 2, line 55—column 3, line 10);

receiving from said outside agency a second receipt based on said identifying data and a linking value (column 4, line 39—column 5 line 36);

Haber et al do not expressly disclose having a linking value as part of the receipt. However it is inherent that a linking value must exist because the second receipt is created and later combined with the first receipt (column 5, lines 9-15). If there were no linking value then the TSA could not match up receipts. Also Haber et al suggests the use of a random number in the creation of the receipts (column 4, lines 59-62). Random numbers, also called nonces, are commonly used to help identify and link messages to an owner as a form of authentication.

As per claim 9, Haber is silent in expressly disclosing inserting a linking value into said first and second receipts that links the identifying data in the first receipt with the time indication in the second receipt. Epstein teaches inserting a linking value into said first and second receipts that links the identifying data in the first receipt with the time indication in the second receipt so that revisions of documents and their corresponding timestamps can be linked to the originals (col. 1, lines 50-63). It would be advantageous to link timestamps created at different places and times to each other in order to preserve authenticity. In view of this it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Epstein within the system of Haber because it would allow the time stamps to be positively linked to one another thereby adding irrefutable proof that a document had not been changed without proper notice.

Art Unit: 2131

As per claims 10-12 and 14 Haber et al teach a method of identifying data that comprises a hash value generated from a one-way hash function and including the hash value and the time indication to the time stamp receipt (column 3, lines 10-65).

As per claim 15, Haber et al teach said time stamp request further includes an identification number associated with the requestor (column 3, lines 10-65 column 4, lines 8-39).

As per claim 16, Haber et al teach wherein each time stamp receipt includes a sequential record number (column 4, lines 8-20).

As per claims 17 and 18, Haber et al teach a common cryptographic signature scheme is used to sign both said first and second receipts with different recipients ([57] and column 4, line 39—column 5 line 36). In the second embodiment where the TSA is a collection of trusted parties each party carries out the same method of creating a timestamp. Therefore, each member of the agency would sign the receipt with his/her own key.

Claims 5, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haber and Epstein as applied to claims 1-4, 6-12, and 14-18 in view of Liao et al (6,148,405).

Art Unit: 2131

As per claims 5 and 13, Haber et al teach a first receipt includes at least a portion of said identifying data (column 3, lines 10-65). Haber et al do not expressly disclose having a nonce as part of the receipt. However, it is implicit that a linking value must exist because the second receipt is created and later combined with the first receipt (column 5, lines 9-15). If there were no linking value then the TSA could not match up receipts. Also Haber et al suggests the use of a random number in the creation of the receipts (column 4, lines 59-62). Random numbers, also called nonces, are commonly used to help identify and link messages to an owner as a form of authentication.

Liao et al teach that nonce is used to verify a relationship between messages (column 7, lines 5-25). In view of this, it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Liao et al within the system of Haber et al because nonces can be used to establish and verify a relationship between two pieces of data.

As per claim 19, the examiner supplies the same rationale for the motivation as recited in the rejection of claim 5 and 13 to incorporate a nonce within the system of Haber et al.

Art Unit: 2131

Conclusion

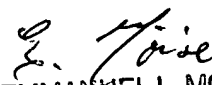
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael R Vaughan
Examiner
Art Unit 2131

MV


EMMANUEL L. MOISE
PRIMARY EXAMINER